JUDICIAL COUNCIL

OF THE NINTH CIRCUIT

IN RE COMPLAINT OF	No. 13-90146
JUDICIAL MISCONDUCT	**ORDER**

KOZINSKI, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge was biased against him and dismissed his civil case in retaliation for complainant's previous judicial misconduct complaints. Complainant further suspects that the subject judge has conspired with unnamed judges to have his cases transferred and dismissed. But complainant provides no objectively verifiable proof (for example, names of witnesses, recorded documents or transcripts) to support these allegations. See In re Complaint of Judicial Misconduct, 569 F.3d 1093, 1093 (9th Cir. 2009). Adverse rulings, without more, are not proof of bias or conspiracy. See In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. 2009). These charges must be dismissed as unfounded. See Judicial-Conduct Rule 11(c)(1)(D); 28 U.S.C. § 352(b)(1)(A)(iii).

Complainant further alleges that the judge sent U.S. Marshals to assault him and get him fired from his job. But complainant offers no evidence to support this

claim either, so this charge must be dismissed. <u>See</u> 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Complainant filed two prior misconduct complaints against the subject judge and was warned that he may face sanctions if he files any further frivolous complaints. <u>See</u> <u>In re Complaint of Judicial Misconduct</u>, Nos. 08-90221+ (9th Cir. Jud. Council 2009). Because he did not heed this warning, complainant is ordered to show cause why he shouldn't be sanctioned by requiring him to obtain leave before filing further misconduct complaints. <u>See</u> <u>In re Complaint of Judicial Misconduct</u>, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009). Complainant has thirty-five days from the filing of this order to file a response, which will be transmitted to the Judicial Council for its consideration.

DISMISSED and COMPLAINANT ORDERED TO SHOW CAUSE.